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11 Attorneys for Defendants **CITY OF LOS ANGELES and CHIEF CHARLIE**
12 **BECK**

13
14 **UNITED STATES DISTRICT COURT**
15
16 **CENTRAL DISTRICT OF CALIFORNIA**
17

18 **SHERYN CAMPRONE**,
19
20 Plaintiffs,

21 v.

22 **CITY OF LOS ANGELES**, Police Officers
23 **CLIFFORD PROCTOR**, JONATHAN
24 **KAWAHARA**, Police Chief **CHARLIE**
25 **BECK**, in his individual and official
26 capacity; DOES 1 - 10, inclusive,
27 Defendants.

CASE NO. CV16-00885 R (JCx)
Hon. Manuel L. Real - Ctrm. 8, 2nd Fl
Hon. Mag. Jacqueline Chooljian - Ctrm. 20, 3rd Fl

DEFENDANTS CITY OF LOS
ANGELES AND CHIEF CHARLIE
BECK'S ANSWER TO
PLAINTIFF'S COMPLAINT FOR
DAMAGES; DEMAND FOR JURY
TRIAL

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29 **DEFENDANTS CITY OF LOS ANGELES and CHIEF CHARLIE**
30 **BECK**, answer the Complaint for Damages for themselves and for no other parties,
31 admit, deny and allege as follows:

32
33 **"INTRODUCTION"**

34 1. Answering this paragraph, Defendants lack sufficient information and
35 belief upon which to answer the allegations contained therein, and on that basis deny
36 the allegations.
37

1 2. Answering this paragraph, Defendants lack sufficient information and
2 belief upon which to answer the allegations contained therein, and on that basis deny
3 the allegations.

4 3. Answering this paragraph, Defendants lack sufficient information and
5 belief upon which to answer the allegations contained therein, and on that basis deny
6 the allegations.

7 4. Answering this paragraph, Defendants lack sufficient information and
8 belief upon which to answer the allegations contained therein, and on that basis deny
9 the allegations.

10 5. Answering this paragraph, Defendants lack sufficient information and
11 belief upon which to answer the allegations contained therein, and on that basis deny
12 the allegations.

13 6. Answering this paragraph, Defendants lack sufficient information and
14 belief upon which to answer the allegations contained therein, and on that basis deny
15 the allegations.

16 7. Answering this paragraph, Defendants lack sufficient information and
17 belief upon which to answer the allegations contained therein, and on that basis deny
18 the allegations.

19 8. Answering this paragraph, Defendants lack sufficient information and
20 belief upon which to answer the allegations contained therein, and on that basis deny
21 the allegations.

22 **“JURISDICTION”**

23 9. Answering this paragraph, Defendants admit that this Court has
24 jurisdiction over this matter.

25 10. Answering this paragraph, Defendants lack sufficient information and
26 belief upon which to answer the allegations contained therein, and on that basis deny
27 the allegations.

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“PARTIES”

11. Answering this paragraph, Defendants lack sufficient information and belief upon which to answer the allegations contained therein, and on that basis deny the allegations.

12. Answering this paragraph, Defendants lack sufficient information and belief upon which to answer the allegations contained therein, and on that basis deny the allegations.

13. Answering this paragraph, Defendants admit that the City of Los Angeles is a municipal corporation in the State of California and that it employed a Clifford Proctor and Jonathan Kawahara at all relevant times. As to the remaining allegations, Defendants lack sufficient information and belief upon which to answer those allegations, and on that basis deny the allegations.

14. Answering this paragraph, Defendants lack sufficient information and belief upon which to answer the allegations contained therein, and on that basis deny the allegations.

15. Answering this paragraph, Defendants lack sufficient information and belief upon which to answer the allegations contained therein, and on that basis deny the allegations.

16. Answering this paragraph, Defendants lack sufficient information and belief upon which to answer the allegations contained therein, and on that basis deny the allegations.

17. Answering this paragraph, Defendants lack sufficient information and belief upon which to answer the allegations contained therein, and on that basis deny the allegations.

18. Answering this paragraph, Defendants lack sufficient information and belief upon which to answer the allegations contained therein, and on that basis deny the allegations.

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1 19. Answering this paragraph, Defendants lack sufficient information and
2 belief upon which to answer the allegations contained therein, and on that basis deny
3 the allegations.

4 20. Answering this paragraph, Defendants admit that Plaintiff filed a claim
5 for damages with the City of Los Angeles.

6 21. Answering this paragraph, Defendants admit that Plaintiff's claims
7 were rejected.

8 **"FACTS COMMON TO ALL CAUSES OF ACTION"**

9 22. Answering this paragraph, Defendants lack sufficient information and
10 belief upon which to answer the allegations contained therein, and on that basis deny
11 the allegations.

12 23. Answering this paragraph, Defendants lack sufficient information and
13 belief upon which to answer the allegations contained therein, and on that basis deny
14 the allegations.

15 24. Answering this paragraph, Defendants lack sufficient information and
16 belief upon which to answer the allegations contained therein, and on that basis deny
17 the allegations.

18 25. Answering this paragraph, Defendants lack sufficient information and
19 belief upon which to answer the allegations contained therein, and on that basis deny
20 the allegations.

21 26. Answering this paragraph, Defendants lack sufficient information and
22 belief upon which to answer the allegations contained therein, and on that basis deny
23 the allegations.

24 27. Answering this paragraph, Defendants lack sufficient information and
25 belief upon which to answer the allegations contained therein, and on that basis deny
26 the allegations.

27 28. Answering this paragraph, Defendants lack sufficient information and
28 belief upon which to answer the allegations contained therein, and on that basis deny
the allegations.

1 29. Answering this paragraph, Defendants lack sufficient information and
2 belief upon which to answer the allegations contained therein, and on that basis deny
3 the allegations.

4 30. Answering this paragraph, Defendants lack sufficient information and
5 belief upon which to answer the allegations contained therein, and on that basis deny
6 the allegations.

7 31. Answering this paragraph, Defendants lack sufficient information and
8 belief upon which to answer the allegations contained therein, and on that basis deny
9 the allegations.

10 **“FIRST CLAIM FOR RELIEF**

11 **Unreasonable Search and Seizure – Detention and Arrest (42 U.S.C. §1983)**

12 **(Against All DEFENDANTS”**

13 32. Answering this paragraph, which incorporates by reference the
14 allegations of prior paragraphs of the pleading, Defendants to the same extent
15 incorporate by reference the answers provided herein to those paragraphs.

16 33. Answering this paragraph, Defendants lack sufficient information and
17 belief upon which to answer the allegations contained therein, and on that basis deny
18 the allegations.

19 34. Answering this paragraph, Defendants lack sufficient information and
20 belief upon which to answer the allegations contained therein, and on that basis deny
21 the allegations.

22 35. Answering this paragraph, Defendants lack sufficient information and
23 belief upon which to answer the allegations contained therein, and on that basis deny
24 the allegations.

25 36. Answering this paragraph, Defendants lack sufficient information and
26 belief upon which to answer the allegations contained therein, and on that basis deny
27 the allegations.

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1 37. Answering this paragraph, Defendants lack sufficient information and
2 belief upon which to answer the allegations contained therein, and on that basis deny
3 the allegations.

4 38. Answering this paragraph, Defendants lack sufficient information and
5 belief upon which to answer the allegations contained therein, and on that basis deny
6 the allegations.

7 **“SECOND CLAIM FOR RELIEF**

8 **Unreasonable Search and Seizure – Excessive Force (42 U.S.C. §1983)**

9 **(Against All DEFENDANTS”**

10 39. Answering this paragraph, which incorporates by reference the
11 allegations of prior paragraphs of the pleading, Defendants to the same extent
12 incorporate by reference the answers provided herein to those paragraphs.

13 40. Answering this paragraph, Defendants lack sufficient information and
14 belief upon which to answer the allegations contained therein, and on that basis deny
15 the allegations.

16 41. Answering this paragraph, Defendants lack sufficient information and
17 belief upon which to answer the allegations contained therein, and on that basis deny
18 the allegations.

19 42. Answering this paragraph, Defendants lack sufficient information and
20 belief upon which to answer the allegations contained therein, and on that basis deny
21 the allegations.

22 43. Answering this paragraph, Defendants lack sufficient information and
23 belief upon which to answer the allegations contained therein, and on that basis deny
24 the allegations.

25 44. Answering this paragraph, Defendants lack sufficient information and
26 belief upon which to answer the allegations contained therein, and on that basis deny
27 the allegations.

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1 45. Answering this paragraph, Defendants lack sufficient information and
2 belief upon which to answer the allegations contained therein, and on that basis deny
3 the allegations.

4 46. Answering this paragraph, Defendants lack sufficient information and
5 belief upon which to answer the allegations contained therein, and on that basis deny
6 the allegations.

7 47. Answering this paragraph, Defendants lack sufficient information and
8 belief upon which to answer the allegations contained therein, and on that basis deny
9 the allegations.

10 **“THIRD CLAIM FOR RELIEF**

11 **Deprivation of Life Without Due Process - (42 U.S.C. §1983)**

12 **(Against All DEFENDANTS)”**

13 48. Answering this paragraph, which incorporates by reference the
14 allegations of prior paragraphs of the pleading, Defendants to the same extent
15 incorporate by reference the answers provided herein to those paragraphs.

16 49. Answering this paragraph, Defendants lack sufficient information and
17 belief upon which to answer the allegations contained therein, and on that basis deny
18 the allegations.

19 50. Answering this paragraph, Defendants lack sufficient information and
20 belief upon which to answer the allegations contained therein, and on that basis deny
21 the allegations.

22 51. Answering this paragraph, Defendants lack sufficient information and
23 belief upon which to answer the allegations contained therein, and on that basis deny
24 the allegations.

25 52. Answering this paragraph, Defendants lack sufficient information and
26 belief upon which to answer the allegations contained therein, and on that basis deny
27 the allegations.

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1 53. Answering this paragraph, Defendants lack sufficient information and
2 belief upon which to answer the allegations contained therein, and on that basis deny
3 the allegations.

4 54. Answering this paragraph, Defendants lack sufficient information and
5 belief upon which to answer the allegations contained therein, and on that basis deny
6 the allegations.

7 55. Answering this paragraph, Defendants lack sufficient information and
8 belief upon which to answer the allegations contained therein, and on that basis deny
9 the allegations.

10 56. Answering this paragraph, Defendants lack sufficient information and
11 belief upon which to answer the allegations contained therein, and on that basis deny
12 the allegations.

13 57. Answering this paragraph, Defendants lack sufficient information and
14 belief upon which to answer the allegations contained therein, and on that basis deny
15 the allegations.

16 **“FOURTH CLAIM FOR RELIEF**

17 **Interference with parent-Child Relationship - (42 U.S.C. §1983)**

18 **(Against All DEFENDANTS”**

19 58. Answering this paragraph, which incorporates by reference the
20 allegations of prior paragraphs of the pleading, Defendants to the same extent
21 incorporate by reference the answers provided herein to those paragraphs.

22 59. Answering this paragraph, Defendants lack sufficient information and
23 belief upon which to answer the allegations contained therein, and on that basis deny
24 the allegations.

25 60. Answering this paragraph, Defendants lack sufficient information and
26 belief upon which to answer the allegations contained therein, and on that basis deny
27 the allegations.

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1 61. Answering this paragraph, Defendants lack sufficient information and
2 belief upon which to answer the allegations contained therein, and on that basis deny
3 the allegations.

4 62. Answering this paragraph, Defendants lack sufficient information and
5 belief upon which to answer the allegations contained therein, and on that basis deny
6 the allegations.

7 63. Answering this paragraph, Defendants lack sufficient information and
8 belief upon which to answer the allegations contained therein, and on that basis deny
9 the allegations.

10 64. Answering this paragraph, Defendants lack sufficient information and
11 belief upon which to answer the allegations contained therein, and on that basis deny
12 the allegations.

13 **“FIFTH CLAIM FOR RELIEF**

14 **Municipal Liability for Unconstitutional Custom or Policy - (42 U.S.C. §1983)**
15 **(Against Defendants CITY, BECK and DOES 1-10)”**

16 65. Answering this paragraph, which incorporates by reference the
17 allegations of prior paragraphs of the pleading, Defendants to the same extent
18 incorporate by reference the answers provided herein to those paragraphs.

19 66. Answering this paragraph and all of its subparts, Defendants lack
20 sufficient information and belief upon which to answer the allegations contained
21 therein, and on that basis deny the allegations.

22 67. Answering this paragraph, Defendants lack sufficient information and
23 belief upon which to answer the allegations contained therein, and on that basis deny
24 the allegations.

25 68. Answering this paragraph, Defendants lack sufficient information and
26 belief upon which to answer the allegations contained therein, and on that basis deny
27 the allegations.

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1 69. Answering this paragraph, Defendants lack sufficient information and
2 belief upon which to answer the allegations contained therein, and on that basis deny
3 the allegations.

4 70. Answering this paragraph, Defendants lack sufficient information and
5 belief upon which to answer the allegations contained therein, and on that basis deny
6 the allegations.

7 71. Answering this paragraph, Defendants lack sufficient information and
8 belief upon which to answer the allegations contained therein, and on that basis deny
9 the allegations.

10 72. Answering this paragraph, Defendants lack sufficient information and
11 belief upon which to answer the allegations contained therein, and on that basis deny
12 the allegations.

13 73. As this paragraph does not contain any factual allegations, it goes
14 unanswered.

15 **AFFIRMATIVE DEFENSES**

16 As separate and distinct affirmative defenses, Defendants allege each of the
17 following:

18 **FIRST AFFIRMATIVE DEFENSE TO THE COMPLAINT**
19 **AND EACH PURPORTED CAUSE OF ACTION THEREIN**

20 **(Failure To State A Cause of Action)**

21 1. Defendants allege that the operative complaint on file in this action, nor
22 any of the alleged causes of action therein, state facts sufficient to constitute a cause
23 of action on which relief can be granted against Defendants.

24 **SECOND AFFIRMATIVE DEFENSE TO THE COMPLAINT**
25 **AND EACH PURPORTED CAUSE OF ACTION THEREIN**

26 **(Qualified Immunity - Federal)**

27 2. Defendants are protected from liability under the doctrine of qualified
28 immunity because the alleged conduct of Defendants and its employees did not

1 violate clearly established statutory or constitutional rights of which a reasonable
2 person would have known.

3 **THIRD AFFIRMATIVE DEFENSE TO THE COMPLAINT**
4 **AND EACH PURPORTED CAUSE OF ACTION THEREIN**

5 **(Lack of Standing)**

6 3. Defendants allege that Plaintiff lacks standing to bring any claims
7 against these Defendants.

8
9 DATED: March 31, 2016

MICHAEL N. FEUER, City Attorney
THOMAS H. PETERS, Chief Asst. City Attorney
CORY M. BRENT, Asst. City Attorney

11 By: /S/ Colleen R. Smith

12 **COLLEEN R. SMITH**, Deputy City Attorney
13 *Attorneys for Defendant CITY OF LOS ANGELES*
14 and CHIEF CHARLIE BECK
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DEMAND FOR JURY TRIAL

Defendants hereby demand and request a trial by jury in this matter.

DATED: March 31, 2016

MICHAEL N. FEUER, City Attorney
THOMAS H. PETERS, Chief Asst. City Attorney
CORY M. BRENT, Asst. City Attorney

By: /S/ Colleen R. Smith

COLLEEN R. SMITH, Deputy City Attorney
Attorneys for Defendant CITY OF LOS ANGELES
and CHIEF CHARLIE BECK

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